

## MINUTES

MANSFIELD INLAND WETLANDS AGENCY  
Regular Meeting, Monday, August 6, 2007  
Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, R. Hall, K. Holt, P. Plante, B. Ryan, G. Zimmer  
Members absent: J. Goodwin, P. Kochenburger  
Alternates present: M. Beal, L. Lombard, B. Pociask  
Staff present: G. Meitzler (Wetlands Agent)

Chairman Favretti called the meeting to order at 7:00 P.M. and appointed alternates Beal and Pociask to act in place of the absent members.

### **Minutes:**

7/2/07 - Hall MOVED, Holt seconded, to approve the Minutes as written. Motion PASSED with all in favor, and Pociask noted that he listened to the tapes of the meeting.

7/19/07 Field Trip - Holt MOVED, Gardner seconded, to approve the Field Trip Minutes as written. MOTION PASSED with Holt, Beal, Gardner, Lombard and Favretti in favor and all others disqualified.

### **Communications:**

The Draft Minutes of the 7/18/07 Conservation Commission and the 7/17/07 Wetlands Agent's Monthly Business report were noted.

### **Other Old Business:**

W1379 - Wilson - Browns Rd - 2 lots partially in regulated area.

Holt MOVED, Gardner seconded, to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Daniel Wilson (file# W1379) for two single-family building lots, on property owned by the estate of George Mikulski, located on Browns Road, as shown on a map dated June 25, 2007 and as described in other application submissions.

This action is based on a finding of no anticipated significant on the wetlands, and is conditioned upon the following provisions being met:

1. Appropriate erosion and sedimentation controls (as shown on the plans) shall be in place prior to construction, maintained during construction and removed when disturbed areas are completely stabilized;

This approval is valid for a period of five years (until 8/6/2012), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this Agency for further review and comment. MOTION PASSED UNANIMOUSLY.

W1381 - Stephens - S. Eagleville Rd - SF house in buffer

Holt MOVED, Gardner seconded, to grant an Inland Wetlands License under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield to Jack Stephens (file# W1381) for a proposed single-family house on a lot of record, on property owned by the applicant, located on South Eagleville Road, as shown on a map dated 6/19/2007, revised through July 26, 2007 and as described in other application submissions.

This action is based on a finding of no anticipated significant on the wetlands, and is conditioned upon the following provisions being met:

1. Appropriate erosion and sedimentation controls (as shown on the plans) shall be in place prior to construction, maintained during construction and removed when disturbed areas are completely stabilized;

This approval is valid for a period of five years (until 8/6/2012), unless additional time is requested by the applicant and granted by the Inland Wetlands Agency. The applicant shall notify the Wetlands Agent before any work begins, and all work shall be completed within one year. Any extension of the activity period shall come before this Agency for further review and comment. MOTION PASSED UNANIMOUSLY.

W1380 - Pond Place LLC - Northwood/Hunting Lodge Rds - housing project

Tabled- pending a 9-17-07 Public Hearing.

W1378 - Storrs Center Alliance, LLC - Storrs Center Project

Tabled- pending a 9-04-07 Public Hearing.

**Old Business:**

**Public Hearing Continuation:**

W1371 – Datum Engineering – 108 Candide Lane – house within 150' (Leta & Costello)

Chairman Favretti opened the continued Public Hearing at 7:12 p.m. Members present were R. Favretti, B. Gardner, R. Hall, K. Holt, Plante, B. Ryan, G. Zimmer, and alternates Beal and Pociask, both acting. Meitzler noted that there were no new communications received. Favretti asked the applicant if his team would like to respond to the report written by Dr. Klemens.

Dr. Harvey Luce, soil scientist for the applicant, responded to Dr. Klemens 8-2-07 report and restated that he does not feel the proposal will have a significantly negative impact on the vernal pool.

Gardner questioned the impact of a septic system failure.

Zimmer wondered about algae booms and if there were fewer bedrooms would there be less chance for pollution in the vernal pool.

Favretti stated that many textbooks on site planning state that septic systems should be no closer than 100', but Luce stated that in his professional opinion, a 50-foot buffer is adequate. Favretti asked Luce if there were other experts who shared this opinion.

Holt raised question of the previously submitted application and its denial. Ark Kostapapas, representing the applicant, indicated that they did not go to the extent of collecting data from the previous application.

Meitzler summarized the 1973 action regarding this lot, and noted that it wasn't a wetland issue then because in 1973 there was no Wetlands Agency. He stated that the subject lot was withdrawn by the applicants from the previous application.

Mr. Costello, applicant, noted for the record that the area in question was a man-made wetland.

Hank Gruner, Consulting Herpetologist for the applicant, responded to Dr. Klemens 8-2-07 report, and summarized by saying that he felt it is very important to follow Luce's recommendation of very stringent erosion and sedimentation control. He added that because this is a difficult lot, the proposed layout best fits with the least amount of disturbance.

Gardner questioned if Gruner was in agreement with Dr. Klemens suggestion to minimize lawn area to protect the run-off of chemicals into the wetlands, and he indicated yes.

Favretti asked Gruner if he felt deed restrictions were enforceable, and who would monitor them? Gruner stated that there would be no one to monitor the lot, but suggested a personal but positive letter from the Commission to the owners of the property, once it is sold, could be helpful.

Zimmer asked Gruner if there is any plant that can be introduced to the area instead of lawn that could utilize the nitrogen. Gruner said he is not aware of any, and noted that the more undisturbed forest there is between the septic system and the wetlands the better. Zimmer also questioned if there are any other types of septic systems for nitrogen that can be installed instead of the proposed septic system. Luce responded that there are many types of systems and there may be some that could address de-nitrification, and noted that they would be very costly.

Dr. Klemens responded to the comments made by the applicant's consultants and said that approving this project with conditions will not be a win/win situation. He did not feel that deed restrictions provided any better option either,

as they are not enforceable. He referred to comments from his first report which he said were still valid.

Klemens was asked if the vernal pool would no longer be a Tier 2 pool after the completion of the construction. Klemens said he could not answer the question because he is not convinced that the pool is currently a Tier 2 and not a Tier 1, the highest ranking. But once a house and septic are built it will no longer be a Tier 1 vernal pool. He stated that the application did not address the ecology of the marbled salamander, one of the indicator species found on site, nor were thermal alterations to the pool addressed. Distance between a septic system and a wetland is very important for removing negative impacts, especially for a small constrained basin that is the subject pool. Because the pool is small, any effluent that reaches it will have more effect than in a large pool. There are also additional habitat areas nearby (across Candide Lane is just one) that were not addressed in Gruner's report.

Plante asked the Wetlands Agent if the PZC members had copies of professional resumes of all the experts reporting on this property. He felt that we should review them to see their credentials. Meitzler stated that we have Klemens, and Gruner and Luce indicated that they will fax theirs in the morning.

Noting no further questions or comments from the applicant, commission or public, Gardner MOVED, Hall seconded, to close the Public Hearing at 8:25 p.m. MOTION PASSED UNANIMOUSLY.

Holt volunteered to work on both approval and denial motions for the next meeting.

#### **New Business:**

##### **W1382 - Wassmundt - Old Turnpike Rd - pond construction**

Ryan MOVED, Holt seconded, to receive the application submitted by Elizabeth T. Wassmundt (IWA File W1382) under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield for the construction of a 45' x 90' x 8' wildlife pond at 54 Old Turnpike Road, on property owned by the applicant as shown on a map dated 7/26/07 and as described in other application submission, and to refer said application to the staff and Conservation Commission for review and comment. MOTION PASSED UNANIMOUSLY.

##### **W1383 - Bobb - Separatist & N Eagleville Rd - 7 lot subdivision**

Ryan MOVED, Holt seconded, to receive the application submitted by RAAR Development LLC (IWA File W1383) under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield for the construction of a 7 lot residential subdivision with onsite septic systems and drilled wells located at the south side of North Eagleville Road and the west side of Separatist Road, on property owned by the applicant as shown on a map dated 7/30/07 and as described in other application submission, and to refer said application to the

staff and Conservation Commission for review and comment. MOTION PASSED UNANIMOUSLY.

W1384 - Town of Mansfield - Hunting Lodge Rd Pedestrian/Bikeway

Ryan MOVED, Holt seconded, to receive the application submitted by the Town of Mansfield (IWA File W1384) under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield for a pedestrian and bicycle path located at the west side of Hunting Lodge Road between North Eagleville Road and Carriage House, on property owned by the applicant and acquired easements, as shown on a map dated 8/07 and as described in other application submission, and to refer said application to the staff and Conservation Commission for review and comment. MOTION PASSED UNANIMOUSLY.

W1385 - Dorwart - Mulberry Rd - 4 lot subdivision

Ryan MOVED, Holt seconded, to receive the application submitted by Reinhold A. and Juanita M. Dorwart Family Trust (IWA File W1385) under Section 5 of the Wetlands and Watercourses Regulations of the Town of Mansfield for a 4-lot residential subdivision with onsite septic systems and wells located on Mulberry Road, on property owned by the applicant and acquired easements, as shown on a map dated 8/07 and as described in other application submission, and to refer said application to the staff and Conservation Commission for review and comment. MOTION PASSED UNANIMOUSLY.

**Field trip was set for 8/15/07 at 1:00p.m.**

**Reports of Officers and Committees:**

None

**Other Communications and Bills:**

Noted

**Adjournment:**

The meeting was adjourned at 8:34 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary